



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 12-1-02	RICHARD ALLEN CANADA , Son, was appointed Administrator with Full IAEA with bond of \$17,000.00 on 5-4-04 . Bond of \$17,000.00 was filed and Letters issued on 5-7-04.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Petition For Distribution filed 5/18/15 is set for hearing on 6/29/15
Cont. from 041213, 062113, 092013, 120613, 022714, 052814, 072314, 082614, 100714, 032315, 051815 Aff.Sub.Wit. Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation FTB Notice	Inventory and Appraisal filed 7-6-04 indicates a total estate value of \$90,000.00 consisting of real property located at 2365 South Lily in Fresno. On 6-21-13, the Court removed Mr. Canada and appointed the FRESNO COUNTY PUBLIC ADMINISTRATOR . Status Report filed 9-9-13 states the Public Administrator has attempted to contact the former administrator by contacting his daughter and the attorney; however, has not been able to make contact. The former administrator's former attorney, C. Michael Farmer, reported that the former administrator may have distributed the proceeds from the sale of the house, the only asset, to him and his sister. If so, the surviving spouse did not receive her 1/3 share, and none of the several creditors were paid. The Public Administrator will continue to attempt to find the former administrator, and requests the Court set an Order to Show Cause requiring Mr. Canada to personally appear, and that this matter be set out for at least 60 days to allow time to investigate. On 10-10-14, the Court granted Public Administrator's Petition for Surcharge in the amount of \$92,000.00 against the Former Administrator. Status Report filed 1-2-15 states the Public Administrator has made written demand to the bond company and is waiting for a response. The PA therefore requests that the next status hearing be set no sooner than two months from now.	
		Reviewed by: skc Reviewed on: 6/15/15 Updates: Recommendation: File 1 - Canada

3 Jayare Zapata, Noah Zapata & Marcell Zapata (GUARD/P)
Case No. 05CEPR00945

Petitioner/Mother: Emilia Bosquez (pro per)
Guardian: Wendy Zapata (pro per)
Guardian: Marie Zapata (pro per)

Petition for Termination of Guardianship.

		EMILIA BOSQUEZ , mother, is petitioner. Please see petition for details. Court Investigator Report filed on 6/16/15	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			N/A
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report	X		
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 6/15/15	
			Updates:	
			Recommendation:	
			File 3 - Zapata	

4 Darnell L. Cook Jr & Tyquil L. Cook (GUARD/P) Case No. 06CEPR00873

Guardian: Martha R. Walker (pro per)

Petitioner/Mother: Shantia M. Wheeler (pro per)

Petition for Termination of Guardianship

		SHANITA M. WHEELER , mother, is Petitioner. Please see petition for details.	NEEDS/PROBLEMS/COMMENTS: 1. Petition is incomplete. Petitioner does not provide a reason why termination of the guardianship is in the best interest of the minors. 2. Need Notice of Hearing. 3. Need proof of service of the Notice of Hearing on: a. Martha Walker (Maternal Grandmother/Guardian) b. Darnell Cook, Sr. (Father) c. Darnell Cook, Jr. (Minor) d. Tyquil Cook (Minor) e. Paternal Grandparents (Not Listed) f. Kim Johnson, Sr. (Maternal Grandfather)	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			X
<input type="checkbox"/>	Aff.Mail			X
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: KT				
Reviewed on: 6/16/15				
Updates:				
Recommendation:				
File 4 - Cook				

Atty Knudson, David N. (for Petitioner/Administrator Laura Dozier)

First Amended First Account and Report of Administrator, and Petition to set Aside Exempt Personal Property to Surviving Spouse

DOD: 9/18/2007		LAURA DOZIER , surviving spouse/Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS: Continued from 4/27/15. Minute order states Counsel requests a 60 day continuance; if it is necessary to file a second amended petition and it is filed by 6/18/15, then no appearance is necessary on 6/22/15. As of 6/15/15 no new documents have been filed.
		Account period: 2/4/2008 – 9/30/2013	
Cont. from 121113, 020314, 022414, 032414, 042114, 051914, 063014, 090314, 042715		Accounting - \$650,755.95 Beginning POH- \$650,750.00 Ending POH - \$338,000.00	1. Petition states the real property on South Cornelia was a single family residence, having been acquired by the decedent prior to his marriage (in April of 2006) to petitioner. Following the decedent's death, Petitioner continued to reside in the home with her sons, and over the next fifteen months paid the mortgage, taxes and insurance on the property. Petitioner was unable to continue to make the payments and as a result the home was foreclosed upon. Petitioner is requesting reimbursement of \$25,050.00 for paying the mortgage from her personal funds. The petitioner and her sons received a benefit from living in the estate property. It appears that the payments towards the mortgage could be considered rents for living in the estate's real property and therefore not reimbursed. - See declaration filed 10/27/14. Please see additional page
<input type="checkbox"/>	Aff.Sub.Wit.	Petitioner states certain assets that were decedent's separate property constitute exempt personal property eligible to be set aside to the surviving spouse pursuant to Probate Code §6510. Petitioner requests the court set aside the following personal property	
<input checked="" type="checkbox"/>	Verified	<ul style="list-style-type: none"> 2005 KTM Motorcycle 	
<input checked="" type="checkbox"/>	Inventory	Petitioner alleges prior to his death, the decedent had given the motorcycle to Petitioner's son, Chris Johnson. Although the motorcycle had been given to Chris, title remained in the name of the decedent. Petitioner requests the court set aside the motorcycle to Petitioner (and Petitioner will confirm transfer to her son, Chris). In the alternative, Petitioner requests that the court confirm the gift of the motorcycle made prior to the decedent's death.	
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input checked="" type="checkbox"/>	Sp.Ntc.	W/	
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	2/4/08	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202	Petitioner states the estate is not yet in a position to close. An action was filed on a rejected creditor's claim. The estate defaulted. The estate now is reviewing the situation to see whether it is possible to file a motion to set aside the default. Petitioner believes it will take an additional 4-6 months to close the estate.	
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice	Please see additional page	
			Reviewed by: KT
			Reviewed on: 6/15/15
			Updates:
			Recommendation:
			File 6 – Dozier

Petitioner prays for an order:

1. That the First Amended First Account and Report of Petitioner be settled, allowed and approved as filed;
 2. That all actions of Petitioner as Administrator, as set forth in the petition, account and report be ratified, confirmed and approved;
 3. That the Court confirm reimbursement to petitioner of costs and expenses in the amount of \$17,480.00, and that petitioner is owed a balance of \$35,758.09;
 4. That the exempt personal property described in the petition be set aside to the surviving spouse or alternatively that the gift of the exempt property to Chris Johnson prior to the decedent's death be ratified, and confirmed;
 5. That the administration of the estate continue.
-

NEEDS/PROBLEMS/COMMENTS (cont.):

2. Petition does not indicate whether or not the residence was marketed for sale during the 15 months Petitioner and her sons resided there after the decedent's death. Probate Code §9600 states the personal representative shall manage the estate to the extent that ordinary care and diligence require that the power be exercised. It appears that ordinary care would include marketing the property for sale rather than letting the property be foreclosed upon. Need more information regarding this property. Was there any attempt to sell the property? - See declaration filed 10/27/14

Declaration filed on 10/27/14 states the residence on North Cornelia was appraised at \$285,000 at the date of death. However, at the time it had two mortgages against it – one for \$250,338.60 and a second mortgage in the approximate amount of \$33,400.00. Decedent died just prior to the downturn in the market. Mrs. Dozier made the payments on the loans (\$1,370.00 and \$300.00 respectively) for 15 months. Mrs. Dozier tried to communicate with the bank after they began foreclosure proceedings, but they were unwilling to speak with her as administrator – nor were they willing to consider any loan modifications. The property was foreclosed on in October 2009. Public records indicate it sold for \$90,000.00.

Attorney Knudson states he considered filing for a probate homestead on behalf of his client, but that would have required Mrs. Dozier to take the property subject to the liens against it. It was determined that there was no benefit to her in requesting a probate homestead due to the encumbrances against the property.

Attorney Knudson states the Examiner questions whether or not Mrs. Dozier's request for reimbursement should be offset by the fair rental value of the property. Mr. Knudson states he is informed that the rental property was then not in excess of \$1,000 a month. Even with an offset for rental value, the administrator has made additional payments in trying to preserve the estate asset in the amount of \$10,500 over and above the rental value, and should receive credit for that amount of expenses paid.

Declaration filed on 10/27/14 (continued): With respect to the creditor's claim. Mr. Knudson is in negotiations with Fresno County Federal Credit Union, and will soon be filing a motion to set aside the default.

Mrs. Dozier has been advancing funds for the payment on taxes on the Madera County real property; it is not presently listed for sale because there does not seem to be any current market. While it has been used by third parties for grazing cattle, recent thefts of cattle in the area have curtailed its use, and it is not presently producing income.

Declaration filed on 4/23/15 states an offer of compromise of the creditor's claim has been received by Fresno County Federal Credit Union and is being considered by the Administrator; hopefully the issues will be resolved within the next 30 days. The estate's real property in Madera County is in escrow. The escrow agent confirms that the sale is due to close prior to the end of April 2015.

Wherefore is it respectfully requested that the First Account be settled.

Note: If the petition is granted the court will set a status hearing for the filing of the petition for final distribution on **Wednesday, September 16, 2015 at 9:00 a.m. in Dept. 303.**

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.

Attorney: Gary G. Bagdasarian (court appointed for Conservatee)

Attorney: Heather H. Kruthers (for Petitioner/Conservator Public Guardian)

Report of Sale and Petition for Order Confirming Sale of Real Property

			PUBLIC GUARDIAN is	NEEDS/PROBLEMS/COMMENTS:
			Conservator/petitioner.	
			Sale price - \$185,000.00	
			Overbid - 194,750.00	
Cont. from			Reappraisal - \$190,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Reappraisal		Property - 237 Fairbanks, Sanger	
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.		Publication - Business Journal	
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	W/	Buyer - Rafael Reynoso, a married man as his sole and separate property.	
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen		Broker - \$9,250.00 (5% - payable to Jeff Starbuck of Guarantee Real Estate and Cameron Pryor of London Properties.	
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input checked="" type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
				Reviewed by: KT
				Reviewed on: 6/16/15
				Updates:
				Recommendation:
				File 8 – Cowling

Petitioner

Ritter, Jarrod (Pro Per – Father)

Attorney

Donovan, Katherine (for Cindy Robertson – maternal grandmother/guardian)

Petition for Visitation

Age, 3		JARROD RITTER, father, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
		CINDY ROBERTSON , maternal grandmother, was appointed guardian on 02/13/15. – Served by mail on 04/28/15	CONTINUED FROM 05/18/15 Minute Order from 05/18/15 states: The Court orders the Court Investigator to contact the parties and make a recommendation to the Court regarding visitation. Mr. Ritter provides a current contact number.
Cont from 051815		Minute Order from 02/13/15 states: The Court orders that Mr. Ritter should have reasonable visitation and refers the matter for mediation today at 1:30. Any agreement reached should be submitted to the Court for Approval.	1. Need CI Report re visitation (CI to provide).
Aff.Sub.Wit.			
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		Guardian and father participated in mediation on 02/23/15.	
		Minute Order from status hearing re Mediation on 03/09/15 states: The filed mediation agreement becomes the order of the Court; Jarrod Ritter, father, shall have supervised visits every other Saturday from noon to 5pm starting 03/14/15, and every other Wednesday from noon to 5pm starting 03/18/15, supervised by Michael Ritter or Israel Winslow. Mr. Ritter and the supervisor will pick-up and return the minor. Parties agree to 24 hour prior notice is the supervisor is unable to make the visitation, and parties may mutually agree to a different day. Additionally, Jarrod Ritter will have Skype visits every Monday at 5pm and every Thursday at 7pm for no more than 10 minutes.	
		Petition for Visitation filed 04/07/15 by Jarrod Ritter states: The current visitation schedule is not working due to multiple issues. He requests that the court implement a new visitation schedule to allow him more time with Ellie. Petitioner states that in their mediation, the guardian would not work with him and instead dictated what times she would allow visitation and demanded that the visits be supervised. She demanded that the visits be on days when the supervisors she chose are not always available. Petitioner states that supervised visits are not necessary [letter from his doctor is attached corroborating]. Further, Petitioner would like the Court to address the difficulty of communication between he and the guardian. He states that the guardian has made constant false allegations to discredit his character. Petitioner states that he has made numerous attempts to work with the guardian, but she is hostile towards him. He requests reasonable unsupervised visits.	
			Reviewed by: JF
			Reviewed on: 06/16/15
			Updates:
			Recommendation:
			File 9 – Robertson

Status RE: Filing of the Inventory and Appraisal.

DOD: 10/19/14	KYLEE MARIE LUCHETTI , Daughter, was appointed Administrator with Will Annexed with Full IAEA without bond on 1/12/15.	NEEDS/PROBLEMS/COMMENTS:
Cont from 051815	At hearing on 1/12/15, the Court set this status hearing for the filing of the Inventory and Appraisal.	<u>OFF CALENDAR</u>
Aff.Sub.Wit.		I&A filed 6/9/15
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 6/15/15
		Updates:
		Recommendation:
		File 10 - Hayden

**Lisa Love Rodriguez, Marcelo Eric Rodriguez, and
Lorenzo Garcia Rodriguez (GUARD/P) Case No. 15CEPR00258**

Petitioner Rebecca Rodriguez (Pro Per – Paternal Grandmother – Petitioner)
Petitioner Pablo Rodriguez, Jr. (Pro Per – Paternal Step-Grandfather – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 5/18/15:</u> Felicia Garcia, Mother, requests a continuance in order to have counsel present. 1. Petitioner states at #10 of the petition that family members will not give Petitioners information on maternal grandfather Ricardo Garcia's whereabouts. If diligence is not found, need notice to Mr. Garcia pursuant to Probate Code §1511.	
Cont from 051815				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
✓	Clearances			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/15/15	
			Updates:	
			Recommendation:	
			File 12 - Rodriguez	

13

Attorney

Attorney

Interested Person

Shirley Adams (CONS/PE)

Krbechek, Randolph (for Kismet Burroughs – Son – Petitioner)

Boyett, Deborah K. (Court appointed for Proposed Conservatee)

Adams, Paulette (Pro Per – Sister)

Case No. 15CEPR00272

Petition for Appointment of Probate Conservator of the Person and Estate (Prob.

C. 1820, 1821, 2680-2682)

See petition for details.			NEEDS/PROBLEMS/COMMENTS:
			Court Investigator advised rights on 4/14/15
			Voting rights affected – need minute order.
			<u>Note:</u> Petitioner resides in Altadena, California.
			<u>SEE ADDITIONAL PAGES</u>
Con from 050415			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	X	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation	X	
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 6/15/15
			Updates: 6/17/15
			Recommendation:
			File 13 - Adams

13

Page 2

NEEDS/PROBLEMS/COMMENTS:

1. Attachment 1f is not sufficient to request dementia powers under probate Code §2356.5. Mandatory Judicial Council Form GC-313, Attachment Requesting Special Orders Regarding Dementia, must be used to request powers under Probate Code §2356.5. Amendment may be required, since this attachment is mandatory, contains mandatory information, and was not included with service.
2. Need Citation.
3. Need proof of personal service of Citation with a copy of the petition, and all appropriate attachments, as noted above, at least 15 days prior to the hearing on proposed Conservatee, Shirley Adams pursuant to Probate Code §1824.

Note: A "Proof of Service" filed 5/26/15 indicates service of a citation and petition, but the Citation has not been filed, and it does not appear that #1 above has been cured or that such attachment was served.

4. Need Capacity Declaration with Dementia Attachment.
5. The Court may require clarification as to the necessity for authority to sell the Proposed Conservatee's former residence without Court confirmation, proper publication and noticed hearing, with reference to Probate Code §§ 2540(b) and 2543. The petition does not indicate any urgency.
6. Need order.

Age: 6	<p>ROSEMARY GALLEGOS and BENJAMIN GALLEGOS, maternal grandmother and step-grandfather, were appointed Co-Guardians on 04/27/15.</p> <p>Minute Order from the hearing on 04/27/15 states: Parties agree that the Guardianship should be granted and that Kenneth Loftis, father, shall have visitation every Saturday from 10am through 6pm, beginning 05/02/15; there are to be no overnight visits. The Court orders that there shall be no corporal punishment inflicted on the minor. Furthermore, the Court orders that Mr. Loftis attend parenting classes and bring proof of attendance to court on 06/01/15. The Court Investigator is ordered to interview the parties and report back to the Court regarding visits. The 06/03/15 general hearing date is vacated and the general petition is granted today. Ms. Hemb is to submit a new order with the visitation agreement attached. Status Hearing was set for 06/01/15 re Visitation and Proof of Parenting Class Attendance.</p> <p>Court Investigator Samantha Henson filed a Supplemental Report on 04/28/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED FROM 06/01/15 Minute Order from 06/01/15 states: The Court wants visual proof of the Petitioner's claims regarding Mr. Loftis' facebook posts.</p>
Cont. from 060115		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
<p>Reviewed by: JF</p> <p>Reviewed on: 06/16/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14 - Loftis</p>		

Petition for Appointment of Guardianship of the Person

Age: 2 DOB: 4/9/13		<u>TEMPORARY EXPIRES 06/22/15</u>		NEEDS/PROBLEMS/COMMENTS:	
		BLANCA CHAVEZ , paternal grandmother, is Petitioner.		Minute Order of 04/29/2015: The Court will allow mail service of Michelle Galva, mother, for the general hearing. The Court orders that there be no unsupervised visitations; visits to be determined by Ms. Chavez.	
		<u>Please see petition for details</u>		Note: Petitioner requests that the Court make visitation orders so that Elias can visit his brother Jayden; however, this Court may not have jurisdiction to make visitation orders regarding Jayden because he is not the subject of this guardianship.	
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.	n/a			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 06/16/2015	
				Updates:	
				Recommendation:	
				File 15 - Verduzco	

16A Jovanii Pascale (GUARD/P)**Case No. 15CEPR00410**

Petitioner Villalvazo, Roseana (Pro Per – Maternal Great Aunt)

Petition for Appointment of Guardianship of the Person

Age: 13 DOB: 05/31/2002	<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
	ROSEANA VILLALVAZO , maternal great aunt, is petitioner.	1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Justin – (Father) Unless the Court dispenses with notice
	Please see petition for details	Note: Declaration of Due Diligence filed 04/20/2015 states petitioner spoke with the mother, Nicole, and was informed that the California Department of Child Support stated there is no records of his location or his whereabouts so the case was closed. <ul style="list-style-type: none"> Jovanii Pascale (Minor)
Cont. from		2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> Paternal Grandfather (Not Listed) Paternal Grandmother (Not Listed)
<input type="checkbox"/> Aff.Sub.Wit.		3. Notice of Hearing filed 04/30/2015 showing service on Nicole Mary Donna Clewly, mother, and Joseph Pascale, maternal grandfather, is defective as it is incomplete as to who effectuated service, their address, and date of service.
<input checked="" type="checkbox"/> Verified		4. UCCJEA is incomplete. Need minor's residence information for the past 5 years.
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.	w/	
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/16/2015
		Updates:
		Recommendation:
		File 16A - Pascale

16A

16B Jovanii Pascale (GUARD/P) Case No. 15CEPR00410

Petitioner Villalvazo, Roseana (Pro Per – Maternal Great Aunt)

Hearing - Fee Waiver

	ROSEANA VILLALVAZO, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 06/16/2015
		Updates:
		Recommendation:
		File 16B - Pascale

16B

Petitioner: Janette Laphy (pro per)

Petition for Appointment of Guardian of the Person

		THERE IS NO TEMPORARY. No temporary was requested.	NEEDS/PROBLEMS/COMMENTS: 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: a. Martin Frank Orozco (father) b. Mikal Orozco (minor) 2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for: a. Maternal grandmother
		JANET LAPHY , paternal grandmother, is petitioner.	
Cont. from		Please see petition for details.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W/	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 6/16/15
			Updates:
			Recommendation:
			File 17 - Orozco

Attorney: Gary A. Hunt (for Petitioner Penny Sabonovich)

Attorney: Erin M. Childs (for Objector/Father Carl Clark)

Petition for Appointment of Guardian of the Person

			TEMPORARY EXPIRES 6/22/15		NEEDS/PROBLEMS/ COMMENTS:
Cont. from					
	Aff.Sub.Wit.				
✓	Verified		Please see petition for details.		
	Inventory		Objections of father, Carl Clark, filed on 6/1/15		
	PTC		Court Investigator Report filed on 6/11/15		
	Not.Cred.		Response to Objections filed on 6/12/15		
✓	Notice of Hrg				
✓	Aff.Mail	W/			
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.	W/			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
✓	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
					Reviewed by: KT
					Reviewed on: 6/16/15
					Updates:
					Recommendation:
					File 18 - Clark

Attorney
AttorneySchorling, Douglas D. (for Kevin S. Campbell – Beneficiary – Petitioner)
Roberts, Gregory J. (for Billie J. Campbell – Trustee – Respondent)

Petition to Compel Trustee to Account

Jerry W. Campbell DOD: 8/4/00		KEVIN S. CAMPBELL, Beneficiary, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS:
		Petitioner he is a beneficiary of The Restated Campbell Family Trust (The Trust) executed by JERRY W. CAMPBELL and BILLIE J. CAMPBELL on 3/16/95. The trust provides that upon the death of the first Trustor, the trust estate is to be divided into three trusts:	1. Petitioner provides names and addresses of the "other beneficiaries;" however, Probate Code §17201 requires the petition to list of each person <u>entitled to notice</u> . Need complete list of each person entitled to notice in this proceeding, including Petitioner's own information.
	Aff.Sub.Wit.	Trust A, the Jerry W. Campbell Family Trust; Trust B, the Billie J. Campbell Family Trust; and Trust C, the Campbell QTIP Trust	2. Notice of Hearing filed 6/3/15 indicates service mailed on <u>July 29, 2015</u> . Need amended Notice of Hearing reflecting service at least 30 days prior to the hearing date per Probate Code §17203.
✓	Verified		
	Inventory	The Trust appoints BILLIE J. CAMPBELL as trustee of all three trust, and appoints the trustors' two sons, RANDALL D. CAMPBELL (DOD 1/4/07) and RICKY D. CAMPBELL (DOD 4/20/09) , and DAVID ASH as successor co trustees. As a result of the deaths of Randall D. Campbell and Ricky D. Campbell, David Ash is the sole successor trustee.	
	PTC		
	Not.Cred.	It is unclear to Petitioner whether Billie J. Campbell is still the trustee of the trusts. It is possible that she has resigned or has appointed David Ash as a co-trustee.	
✓	Notice of Hrg		
✓	Aff.Mail	The trustors are also the trustors of The Jerry W. Campbell and Billie J. Campbell Irrevocable Trust dated 3/28/91 . DAVID ASH is the trustee of the Irrevocable Trust.	
	Aff.Pub.		
	Sp.Ntc.	Petitioner believes it is possible that Billie J. Campbell and David Ash have commingled assets between the Trust and the Irrevocable Trust.	
	Pers.Serv.		
	Conf. Screen	Paragraph 2.1 of Section V of the Trust specifically requires the trustee to account. Neither Billie J. Campbell nor David Ash has made any report of information about the Trust nor any account of the Trust.	
	Letters		
	Duties/Supp	On 8/28/14, Petitioner mailed by certified mail a written demand for documentation including annual accountings, information under Probate Code §16060, 16061, 16060.7.	
✓	Objections		
	Video Receipt	SEE ADDITIONAL PAGES	
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: skc

Reviewed on: 6/16/15

Updates:

Recommendation:

File 19 - Campbell

Page 2

Petitioner states the trustee has failed and refused to prepare and provide Petitioner with the requested account and has failed and refused to Provide Petitioner with any of the requested information and documentation. In addition, the Trustee never provided Petitioner with the required notice under §16061.7 upon the death of Jerry W. Campbell.

Attached to the petition are the Exhibit A – Restated Campbell Family Trust dated 3/16/95, Petitioner's Letter dated 8/28/14, and the certified mail return receipt for the Letter.

Petitioner prays for an order:

1. Compelling Billie J. Campbell and/or David Ash to prepare and file with this Court an account of the Trust since its commencement on 3/28/91, including copies of any and all documents that support, substantiate, or evidence any item set forth in the accounting. See petition for specifics re requested documentation;
2. Instructing Billie J. Campbell and/or David Ash to petition this Court for the settlement of the account and give notice of hearing on the petition;
3. Compelling Billie J. Campbell and/or David Ash to provide Petitioner with all information necessary under §06060 to keep the beneficiaries reasonably informed of the trust and its administration;
4. Compelling Billie J. Campbell and/or David Ash to provide Petitioner with information under §16061 to report to the beneficiary by providing the requested information relating to the administration of the trust relevant to the beneficiary's interest;
5. Compelling Billie J. Campbell and/or David Ash to provide Petitioner with the terms of the Trust, as required by §16060.7;
6. For such attorney fees and costs as may be allowable by law; and
7. For all other orders the court deems proper.

Response filed 6/8/15 by BILLIE J. CAMPBELL states:

- Respondent is the sole beneficiary and currently acting sole trustee of Trust B with power to amend and/or revoke Trust B, and as trustee, no duty to account to any other person of the financial transactions of Trust. B.
- No Trust C (QTIP Trust) was established pursuant to the death of Jerry W. Campbell as the trust had insufficient assets to require such establishment.
- Trust A was not subdivided into "Exempt Family Trust A" and "Non-Exempt Family Trust A" because there were no generation-skipping issues which would require such subdivision. Respondent is the lifetime sole beneficiary of Trust A and unless as trustee she determines to make discretionary distributions to others, the lifetime sole principal beneficiary of Trust A, the intention of Jerry W. Campbell being to provide first for the needs of his surviving spouse (see Trust). There is no distribution of Trust A assets required to be made to any beneficiary other than Respondent until Trust A is divided into separate shares upon her death.

SEE ADDITIONAL PAGES

Page 3

Respondent states the duty of the trustee to account is to the beneficiaries of "their trust." Until the death of Respondent, no trusts are established for any beneficiaries other than Respondent. Consequently, Trustee currently has no duty to account to anyone other than Respondent of the transactions of any trust established under the Restated Campbell Family Trust.

To Respondent's belief, the administration of the Irrevocable Trust, of which Respondent was not a trustee, has been concluded.

Respondent has had to retain counsel to file this response and asks the Court to order Petitioner to reimburse the costs and fees incurred, as proven upon subsequent declaration of Gregory J. Roberts.

Respondent prays for an order:

1. That Respondent is the sole beneficiary of Trust B entitled to an accounting;
2. That Respondent was never a trustee of the Irrevocable Trust and has no obligation to account or participate in any accounting;
3. That Petitioner shall reimburse Respondent for the costs and attorney's fees she has incurred; and for
4. Such other and further relief as the Court deems proper.

Examiner's Note: The Irrevocable Trust is not before the Court at this time; therefore, the Court cannot make orders regarding Respondent's obligations in connection with the Irrevocable Trust.

James Joseph Snyder DOD 4/9/15		JOHN SNYDER and AUDREY SNYDER, Successor Trustees, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Petitioners state the settlor had several bank accounts that he intended to include as an asset of the trust, as set forth on Schedule A, including without limitation accounts at EECU. He also owned real property in Kingsburg that he intended to include as an asset of the trust, as set forth on Schedule A.

Petitioners have discovered that title to EECU account xx001 and the residence was not transferred to the trust. Petitioners believe that the settlor intended them to be held in the name of the trust, and such intent was clearly expressed in the trust and Schedule A.

The settlor also executed a will that distributes to the trust. Unfortunately, the will was not properly witnessed but was clearly intended to constitute the settlor's will. Petitioners believe the will is valid, but if not, the probate estate would be distributed to his four surviving children, which is the same as distribution under the trust except for certain specific gifts, which Petitioner believes would be carried out if the estate were probated. Therefore, the disposition would be the same. Further, estate administration would cost approx. \$25,200 based on the value of the estate.

Petitioner requests the Court confirm and declare the account and real property are asset of the trust and held by Petitioners as successor trustees pursuant to Probate Code §§ 850(3)(B) and 17200(a).

Reviewed by: skc

Reviewed on: 6/16/15

Updates:

Recommendation:

File 20 - Snyder

Petitioners

Kathie Livermore, Janet Curtiss, and Lana Craven (Pro Per Petitioners)

Petition to Determine Succession to Real Property

DOD: 3/10/15		KATHIE LIVERMORE, JANET CURTISS, and LANA CRAVEN , Daughters, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD	<p>1. The will is not self-proving. A determination of succession necessarily includes a determination as to the validity of the will even if the will is not technically probated. The Court may require Proof of Subscribing Witness. See commentary at Probate Code §13151.</p> <p>2. #9(a)(7) indicates issue of predeceased child. Need name and date of death of predeceased child pursuant to Local Rule 7.1.1.D, and names and addresses of his or her issue should be included in Attachment 14. (See #14(1) where it refers to all persons named or checked in items 1, 9, and 10.)</p> <p>Issue of a predeceased child are required to be identified and are entitled to notice pursuant to §§ 13150 et seq.</p> <p>Therefore, need amended Attachment 14 and service of Notice of Hearing on issue of predeceased child.</p>
	Aff.Sub.Wit.	I&A: \$175,000.00 (real property located at 4319 N. Feland in Fresno)	
✓	Verified	Will dated 3/1/15 devises the entire estate to the decedent's three living children (not specified).	
✓	Inventory		
	PTC	Petitioners request Court determination that the decedent's 100% interest in the real property passes to them in one-third undivided interests each.	
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 6/16/15
			Updates:
			Recommendation:
			File 21 - Livermore

Petition for Appointment of Temporary Guardian of the Person (Prob. Code §2250)

			See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Petitioner states the minor is currently in the custody of the parents. Please see Local Rule 7.15.3.D. If Petitioner believes the child is in danger, a referral should be made to Child Protective Services.
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6/16/15	
			Updates: 6/17/15	
			Recommendation:	
			File 22 - Clemons	